

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 7, 2011

POST SUMMARY MINUTES

PRESENT: Chairman Eldrin Bell, Vice-Chairman Wole Ralph, Commissioner Sonna Singleton, Commissioner Michael Edmondson, Commissioner Gail B. Hambrick, and Clerk Shelby D. Haywood.

1. Chairman Bell called the meeting to order.
2. Invocation was led by Chaplain Rodney Williams of the Clayton County Sheriff's Office. Pledge of allegiance to the flag was led by Chairman Bell.
3. Amended the agenda by adding another appointment to the Tourism Authority Board (replacement for Therese Bowen who resigned) and a reappointment to the Housing Authority Board (Rube Harris). It was also noted that the Executive Session following the Regular Business Meeting would be regarding litigation, real estate, and personnel matters. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.
4. Approved the May 17, 2011 Regular Business Meeting minutes. The motion carried 4-0-1. Commissioner Edmondson abstained due to being absent from this meeting.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to go into the following public hearing. Vote unanimous.

5. PUBLIC HEARING: The Clayton County Police Department has been approved for two grants (2008-DJ-BX-0695 and 2010-DJ-BX1660) through the Department of Justice, Edward Byrne Justice Assistance Grant program. These grants will be used to purchase equipment, software and to provide training for the officers of the Clayton County Police Department. The Board of Commissioners will hear comments from the public concerning these two grants.

No one from the public made any comments regarding these two (2) grants from the Department of Justice, Edward Byrne Justice Assistance Grant program.

Motion by Commissioner Singleton, second by Vice-Chairman Ralph, to go out of the public hearing. Vote unanimous.

6. PRESENTATION: Public Safety Digital Network Update (presented by Chief Jeff Hood, Fire and Emergency Services).

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Chief Hood reminded the Board that it had approved a Public Safety Digital Network (PSDN) in the 2009 SPLOST Project. At the Board's direction, a Public Safety Digital Network committee was formed, and Assistant Chief Landry Merkison was appointed to chair that committee. The Board also authorized the County to enter into an agreement with ARINC, on behalf of the Clayton County Fire and Emergency Services Department, providing for the terms and conditions under which engineering consulting services to the Clayton County Public Safety Digital Network Committee will be rendered. Chief Hood stated that the PSDN committee is now at a point where it needs Board interaction for some cell tower locations. Each of these sites is owned by the Board of Commissioners. He then introduced Assistant Chief Merkison, who would share the specifics with the Board.

Assistant Chief Merkison assured the Board that the PSDN committee is working diligently to meet a mandate set by the Federal Communications Commission (FCC). This mandate basically states that all public safety agencies using UHF and VHF spectrum radio systems must be narrowbanded no later than January 1, 2013, which means that Fire & Emergency Services has an immense amount of work to perform in a very short time. If Fire & Emergency Services does not meet this mandate, the penalties are money forfeitures for each day it operates outside of the guidelines – up to and including revocation of the current license – which would essentially put the County out of the public safety business. The consultant, ARINC, has been working with Fire & Emergency Services to design a system that will be second to none. It will give the County a cutting edge in technology for employees and multi-data communications for all public safety services and other essential county services. Moving forward, Assistant Chief Merkison voiced that ARINC has identified six (6) proposed tower sites within the County. Victory Boulevard and Finley Drive sites are an “either or” situation. Finley Drive is located in the northernmost part of the County in Forest Park. Some issues are foreseen with the FAA regarding the tower height, depending on the fact that it is in the landing pattern for the Hartsfield-Jackson International Airport. It is probable that the County will backup and use the Victory Boulevard site with the seventh site being located at the Hartsfield-Jackson International Airport. Per Assistant Chief Merkison, Fire & Emergency Services is starting to see an increase in its responses to the airport; therefore, an antenna must be put somewhere at the airport to give the County broad-based communications while on the Hartsfield property.

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According to Assistant Chief Merkison, the sites that ARINC identified are as follows: 1) Riverdale Road site (located immediately adjacent to the new Clayton County Station 4 at the intersection of Riverdale Road and East Fayetteville Road); 2) 3675 Rex Road (on the new Rex Road realignment). As Chief Hood indicated earlier, all of these parcels are owned by the Board of Commissioners and eliminate the need for land lease agreements or other bills with outside agencies; 3) the main location tower for the County's main new 300 foot tower will be behind the Technical Data Center located on Government Circle. The tower is currently right next to the PD Headquarters in Jonesboro. Assistant Chief Merkison expressed that this tower will come down and be relocated away from that facility behind the data center. That tower is quite old and not capable of supporting any new equipment. It will be removed and a new tower will be erected in a different location on Government Circle; 4) Panhandle Road (immediately adjacent to Clayton County Fire Station #6); 5) 1023 Finley Drive site (which is actually on Clayton County Economic Development property and will probably be a backup site); and 6) Victory Boulevard site (being the County's primary look). Assistant Chief Merkison expressed that this is a very brief overview of where Fire & Emergency Services is, with the towers being the most important items since the system cannot be operated without the towers being in place. He concluded that these cell towers must be in place by the FAA mandated time to get the system up and running. (NOTE: The floor was then open for questions from the Board.)

Commissioner Hambrick questioned the deadline date for the system to be operational.

Assistant Chief Merkison responded that the system must be up, operational, and tested no later than December 31, 2012.

Commissioner Hambrick asked if Fire & Emergency Services had contacted the airport regarding a tower.

Assistant Chief Merkison answered yes. He and Chief Hood have been talking to Chief Cochran at the airport. They have also discussed the County's needs in a Service Delivery Meeting. The line of communications has definitely been opened. AFD is on board with the county and has offered to help in any way it can with facilitating the FAA mandate.

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Vice-Chairman Ralph wondered if there had been any discussion concerning one of the tower sites being on Water Authority property.

Assistant Chief Merkison answered that there still is a site on Ellison Road. Fire & Emergency Services has met with Water Authority representatives and the consideration is being presented to the Water Authority Board with no problems whatsoever. The Water Authority is trying to ascertain if that site had been purchased with federal dollars, which may add another step in its process. Once that question has been answered, the Water Authority will move forward on that property.

7. PROCLAMATION: "Clayton County Proclaims June 2011 as National Homeownership Month" (presented by Chairman Eldrin Bell to Lance Crawford, Director of the Clayton County Housing and Community Development Program and various homeownership advocates/new NSP homebuyers).

8. PROCLAMATION: "Clayton County Recognizes Clayton County Master Teachers 2011" (presented by Vice-Chairman Wole Ralph).

NOTE: Group photos were taken, and Clerk Haywood read the two (2) aforementioned proclamations for the benefit of the audience.

9. *PROCLAMATION: "Clayton County Board of Commissioners Recognizes Lovejoy High School Graduate Davis Nguyen" (presented by Vice-Chairman Wole Ralph).

*NOTE: The above-mentioned proclamation was not presented due to the absence of Davis Nguyen, who experienced mitigating circumstances. This proclamation will be rescheduled for a presentation at the June 14, 2011 Regular Business Meeting.

10. Rod Gray, Director of Central Services, presented the following requests which resulted in these actions. NOTE: The Board voted on all of these requests at once.

1) Approved a Request for Contract Extension/Jail Maintenance Services for Clayton County Justice Center (RFP #07-09). This request is for a ninety (90) day extension of

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the annual contract with Carter Goble Lee, which expires on June 30, 2011. With an extension to September 30, 2011, there will be ample time to review the Statewide Contract for these services, as requested by the Sheriff's Department and CGL Engineering, Inc. Vote unanimous.

2) Approved two (2) Change Order Requests/SPLOST Intersection Improvements at Old Rex-Morrow Road at Trammel Road (RFB Pkg. #09-24; 8/27/09). Transportation and Development has requested two (2) change orders: Change Order #1 in the amount of \$55,656.50, for additional costs associated with construction utility companies; Change Order #2 in the amount of \$22,126.50, for costs associated with the water table rising in the ground to the extent that additional remediation of the sub-base will be required for a storm drain pipe and roadway base. The change order total is \$76,683.00; therefore, the new total will be \$355,578.21. Funding is available through the 2004 SPLOST program. Vote unanimous.

3) Approved a Contract Amendment Request for Additional Services/Insurance Broker for Property and Casualty Insurance, Annual Contract (RFP Pkg. #10-02; 3/2/10). The recommendation is to amend the current Insurance Broker for Property and Casualty Insurance, Annual Contract by including Benefits Broker Services, as requested by Renee Bright (Director of Human Resources). This agreement currently provides Insurance Broker for Property and Casualty Insurance for the County. The contract vendor is The McCart Group, located in Duluth, Georgia, who was originally awarded the contract by the Board of Commissioners on May 21, 2010 in the amount of \$82,500.00 annually. The McCart Group has agreed to accept the amendment which will include these additional services for a fee not to exceed a supplemental cost of \$36,000.00 annually. Vote unanimous.

4) Approved a bid (RFB Pkg. #11-02; 3/21/11) for Clayton County Resurfacing of Tennis Courts at Flat Shoals Park/Community Development Block Grant. Vote unanimous.

This bid is for the resurfacing of the tennis courts at Flat Shoals Park, as requested by the Parks and Recreation Department. The recommendation is to award a contract to Court Makers, Inc., located in Marietta, Georgia, whose firm is the lowest responsive bidder, at \$34,400.00. Community Development Block Grant funds are available for this project.

5) Approved a proposal (RFP Pkg. #11-04; 4/5/11) for On Call Transportation

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Right-of-Way Acquisition Services, Annual Contract. The proposals for this project were evaluated by Jeff Metarko, Director of Transportation and Development, and his staff. They recommended awarding this project to Dianna D. Hunter & Associates, Inc., located in McDonough, Georgia, whose firm had the highest score of 444. Vote unanimous.

6) Approved a proposal (RFP Pkg. #11-05; 4/12/11) for Concession Operations at Clayton International Park, Annual Contract. This proposal is for concession operations at Clayton County International Park, as requested by the Parks and Recreation Department. The evaluation committee, consisting of County representatives from the County Extension Department, Sheriff's Department, and the Parks and Recreation Department, has reviewed the proposal. It recommended awarding a contract to Pack, LLC, located in Jonesboro, Georgia, with the highest score of 414.05. Vote unanimous.

7) Approved a Request to Waive the Sealed Bid for Computer Aided Dispatch Server Connectivity for the Police Department. This purchase request is to provide real time backup and restore services to the new computer aided dispatch (CAD) E-911 systems, as requested by the Clayton County Information Technology Department. The request is to waive the sealed bid requirement and purchase these servers as a sole source from SoftChoice, located in Norcross, Georgia, as they are an extension of the County's existing data network. Funds are available through the E-911 Fund. Vote unanimous.

8) Approved a Purchase Request for a Juvenile Court Software Upgrade. This request is to purchase a software upgrade for the Juvenile Court System, as requested by the Information Technology Department. The purchase request is to update the existing Canyon Solutions software that has been in place for 15 years. Canyon Solutions is upgrading its existing software this year to a new version and requesting that a new JCATS enterprise software and support be used. The recommendation is to enter into a contract with Canyon Solutions, located in Chandler, Arizona. Vote unanimous.

9) Approved Purchase Requisition #3313/Replacement Air Compressor Purchase. This request is to purchase a Pegasus 20 H.P., 5 Stage 26 CFM Air Compressor for Fire Station #11, as requested by the Clayton County Fire Department. The request is to waive the sealed bid requirement and purchase as a sole source to tie into the existing system. This product is sold

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exclusively by Stallion Air Systems. VITCO Fire Fighting Equipment, located in Macon, Georgia, is the exclusive distributor for Stallion Air Systems. It is the only dealer authorized to sell, service, and install these systems in the State of Georgia. The total amount of this purchase is \$34,100.00. Funds are available through the Fire Fund. Vote unanimous.

11. Renee Bright, Director of Human Resources, presented one request which resulted in the following action:

1) Approved a Request to renew the Workers' Compensation Third Party Administrator Contract for the period of August 1, 2011 through July 31, 2012. Vote unanimous.

The Third Party Administrator processes and pays all of the claims associated with the County's Workers' Compensation program. By contracting with a Third Party Administrator, it saves the County from having to lease a Workers' Comp claims system and employ additional personnel to process claims. Clayton County contracts with a Third Party Administrator for the day-to-day handling of claims processing and payment for the County's Workers' Compensation program. Georgia Administrative Services has dedicated one claims adjuster to handle Clayton County's claims. By having this in the contract, the County is able to maintain control of its claims and keep claims costs at a minimum. The renewal of this contract with Georgia Administrative Services is in the amount of \$88,000.00, which is the same amount it has been for the past three (3) years. There will be no additional costs associated with renewing this contract for the upcoming fiscal year.

12. Approved Resolution 2011-84 authorizing the negotiation, execution, delivery and performance of a Performance Agreement for Comfort from Trane with Trane U.S., Inc. for purposes of providing energy savings and conservation measures for various facilities within the County; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and for other purposes. This resolution also provides for financing and refinancing of certain projects; the refinancing was on energy projects that the County indicated in 2009 in the amount of 10,564,000.00+ and financing new projects in the amount of \$6,400,000.00. Vote unanimous.

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13. Approved Resolution 2011-85 authorizing Clayton County to enter into a Memorandum of Understanding with the Cooperative Extension and the Office of the Vice President for Public Service and Outreach on behalf of the University of Georgia, ("UGA Partners of Archway Partnership Project") providing for the terms and conditions under which the development and implementation of the Clayton County Archway Partnership Project will be administered. Vote unanimous.

Michael Smith, Chief Staff Attorney, requested an Executive Session following the Regular Business Meeting to discuss litigation, real estate, and personnel matters. The Board agreed to do so.

14. Approved appointments to the Tourism Authority Board (Full Board). The terms of David Barton and Emma Godbee expired 9-1-10, and there is a vacancy created by the resignation of Therese Bowen (leaving an unexpired term). The Board appointed the following persons to the Tourism Authority Board through these motions:

Motion by Chairman Bell, second by Commissioner Edmondson, to appoint Cindy Kelley of Heritage Bank to fill the unexpired term of Therese Bowen (resigned). This term expires on 12-31-12. Vote unanimous.

Motion by Commissioner Singleton, second by Commissioner Edmondson, to appoint Dr. Darryal McCullough to replace David Barton (whose term expired 9-1-10). Dr. McCullough's term expires on 9-1-14. Vote unanimous.

Motion by Commissioner Hambrick, second by Commissioner Edmondson, to reappoint Emma Godbee. Ms. Godbee's term expires on 9-1-14. Vote unanimous.

15. Approved the reappointment of Rubye Harris to the Housing Authority Board. New term is for five (5) years; new term expiring on 5-11-16. Vote unanimous.

PUBLIC COMMENT:

1. Karen Smith requested an amendment to Clayton County Code Section 62.207, Basketball Goals and Courts (Quality of Life Code). She alerted the Board that neighborhood

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basketball goals weigh more than 200 pounds. Most of these goals are filled with sand, rendering them immovable. Ms. Smith read a quote from a website that stated basketball goals are often limited to established courts. They are public and available, but large, bulky, and difficult to move. She felt that the county's ordinance presented a health hazard to children who attempted to move these basketball goals. Ms. Smith pointed out that the difference between a cemented basketball goal and a portable basketball goal filled with sand is that one is cemented into the ground and one is filled with sand. The similarities are that they are immovable and difficult to maneuver in residents' yards. Residents are told that they have to move basketball goals to the sides of their homes after use. Children have to drag around a 200 pound basketball goal, an act which is unhealthy and can endanger their lives. Ms. Smith urged the Board to reconsider this ordinance. She identified her neighborhood as Stratford Glen. For the most part, she and other residents agree with paragraphs (a) through (g) of this Quality of Life Code. The only paragraph they did not agree with was paragraph (b) which states the basketball goals must be moved to the side of the yard after use.

2. Dwight and LaTonya Andrews stated they were in agreement with Ms. Smith, who had spoken before them. They requested that Ms. Smith be given more time to speak on their behalf about neighborhood basketball goals. Since Ms. Smith had already used her two (2)-minute time limit to speak before the Board, Chairman Bell told LaTonya Andrews that she could speak about this subject for the allotted two (2) minutes. Ms. Andrews introduced her husband (Dwight) and daughter (Brittany) to the Board. She stated that her basketball goal is in her yard, not on the street. When her daughter and friends play basketball, they play in the yard instead of the driveway; therefore, the basketball goal is not blocking any sidewalks (which are non-existent in her subdivision) or any form of transportation. Ms. Andrews further stated that her basketball goal is placed in a "safe" area for the children. A lot of children play basketball in her neighborhood for recreation and she would like to keep it that way. Her daughter Brittany has played basketball for awhile and her husband bought Brittany a basketball goal to fine tune her basketball skills. She really wanted to keep the basketball goals available in the neighborhood. Ms. Andrews stressed that all of the residents try to maintain a nice neighborhood, pay property taxes, and keep their children involved in recreational activities.

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(NOTE: At this time, Chairman Bell requested that Ms. Smith and the Andrews family be the spokespersons for the basketball goal issue. He noted that eight or nine people had signed up to speak on this issue and, to avoid redundancy, the Board would take under consideration what had already been presented. The residents who had signed up to speak agreed with Chairman Bell and did not attempt to speak before the Board on this same subject. Commissioner Singleton interjected that a meeting regarding this subject had already been set up with Code Enforcement/Police Chief Greg Porter for the residents this week. Chairman Bell noted that the scheduled meeting would suffice to address this issue. Ms. Smith asked Chairman Bell if he would be present at this meeting, which was scheduled on Thursday [June 9, 2011] at the Carl Rhodenizer Recreation Center in Rex, GA at 7:00 p.m. Chairman Bell promised to make every effort to be present at that time.)

3. Wayne Madden formally requested Chairman Bell to authorize/designate Vice-Chairman Ralph to present a power-point presentation to show everyone how the County benefitted from Vice-Chairman Ralph visiting Amsterdam, Holland. That presentation needed to include the nature of the trip, expenses appropriated, and the expertise required. He was asking very nicely for this information and, hopefully, Vice-Chairman Ralph would comply with this request.

Commissioner Singleton asked Chairman Bell if he would not mind talking to Grant Wainscott, Economic Development Director, about giving such a presentation. Mr. Wainscott could fully explain the purpose of the trip and give Mr. Madden the details he requested. Mr. Madden insisted that he wanted to hear the details from Vice-Chairman Ralph, who was his commissioner at this time.

4. Chris Gallagher commended Chairman Bell for doing an excellent job in conducting the business meetings. He admitted that he knew it was not an easy task. Mr. Gallagher also thanked Clayton County Fire Station #10 for controlling a fire set by children at a golf course next to his house. Fire Station #10 responded in a rapid manner and did a great job of controlling the fire. Since that fire was started by these children, however, Mr. Gallagher noted that he had not seen any police presence in his neighborhood. More fires have been started by these children in the streets and he wanted to see more police presence. Chairman Bell asked Mr. Gallagher to provide his contact information so that the appropriate county personnel could respond to his

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request. Mr. Gallagher agreed to do so.

Motion by Commissioner Singleton, second by Vice-Chairman Ralph, to go into Executive Session in the Commissioners' Conference Room to discuss litigation, real estate, and personnel matters at 7:45 p.m. Vote unanimous.

Motion by Commissioner Edmondson, second by Chairman Bell, to go out of Executive Session at 8:44 p.m. Vote unanimous.

Motion by Vice-Chairman Ralph, second by Commissioner Singleton, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:45 p.m. Vote unanimous.

Clerk Haywood asked the Board to proceed with a vote on a matter discussed in the Executive Session. The motion was as follows:

Motion by Commissioner Singleton, second by Vice-Chairman Ralph, to accept the resignation of Chief Staff Attorney Michael Smith **effective immediately**. The motion carried 3-2. Chairman Bell and Commissioner Edmondson opposed.